



February 24, 2006

<i>NOAA Gulf of Mexico News</i>	2
Comprehensive Knowledge of Harmful Algal Blooms Advanced by the National Centers for Coastal Ocean Science	2
NOAA participates in Contractors Congressional and Media Event in the Gulf	2
Congressional Staff Visit Mobile, Alabama	2
Law Enforcement Advisory Panel Scheduled to Review an Options Paper for Alternatives to Regulate Red Snapper	2
<i>In the Gulf States:</i>	3
Alabama Derelict Crab Trap Removal Program	3
Florida DEP Hosts Workshop on Protecting Florida's Coastline	3
International Visitors Learn about Louisiana's Coastal Efforts	4
Architects Rethink Plan to Move a Louisiana Town	5
<i>Other News</i>	6
Supreme Court to Decide Far-Reaching Wetland Cases	6
<i>Energy</i>	7
FERC Extends Lifting of Natural Gas Rules to Further Hurricane Recovery Efforts	7
<i>Training and Conferences</i>	8
Call For Papers: Nutrient Loading and Removal in the Lower Mississippi River Basin: Data, Trends, and Opportunities	8

NOAA Gulf of Mexico News

Comprehensive Knowledge of Harmful Algal Blooms Advanced by the National Centers for Coastal Ocean Science

Scientists from the National Centers for Coastal Ocean Science (NCCOS) recently contributed three chapters to a book to be published this year on the current knowledge of the ecology, detection, and prediction of harmful algal blooms (HABs). The book, *Ecology of Harmful Algae*, will provide important summary information on HABs to both scientists and resource managers. The chapters written by NCCOS scientists focus on brown tides, interactions between algae and trace metals, and molecular approaches to the study of phytoplankton life cycles. For more information, contact [Wayne Litaker](#).

NOAA participates in Contractors Congressional and Media Event in the Gulf

NOAA Office of Coast Survey participated in a congressional and media event in Lafayette, Louisiana to highlight the award of a new hydrographic services contract to Lafayette based C&C Technology, Inc. This contract was one of five Indefinite Delivery, Indefinite Quantity contracts with a ceiling of \$50 million. All five contracts are national in scope. Also participating in the event was Senator David Vitter, Congressman Charles Boustany, and Congressman Rodney Alexander of Louisiana. These new contracts will provide NOAA additional ability for charting and surveying needs not only in the Gulf but throughout U.S. waters. Two task orders, awarded against the contracts, have already been awarded for survey work at the approaches to Port Fourchon, LA, and for survey work in the Gulf of Mexico to support the United Nations Convention on the Law of the Sea (UNCLOS). For more information, contact [Tim Osborn](#).

Congressional Staff Visit Mobile, Alabama

Office of Response and Restoration (OR&R) Hazardous Materials Response Division took part in a congressional briefing on Monday in Mobile, Alabama. Staff from Senator Shelby's office and the Senate Appropriations Committee traveled to the Gulf Coast. A presentation provided congressional staff with an overview of OR&R programs and involvement during hurricanes Katrina and Rita. Staff showed interest in marine debris issues and other Gulf Coast activities. For more information, contact [Bill Conner](#).

Law Enforcement Advisory Panel Scheduled to Review an Options Paper for Alternatives to Regulate Red Snapper

The Gulf of Mexico Fishery Management Council will convene the Law Enforcement Advisory Panel (LEAP) to review an Options Paper for Joint Amendment 27 to the Reef Fish Fishery Management Plan (FMP)/ Amendment 14 to the Shrimp FMP. This amendment contains alternatives to regulate the harvest and bycatch of red snapper by both the directed commercial

and recreational fisheries and the shrimp fishery in the Gulf of Mexico. The need for this amendment arose from the Southeast Data, Assessment and Review (SEDAR) process through which a recent stock assessment showed that the red snapper stock in the Gulf was overfished and overfishing was continuing.

In addition, the LEAP will discuss the Automated Identification System that will soon be required of many fishing vessels in the Gulf. The LEAP will also review a discussion paper that may ultimately be used as the basis for developing Individual Fishing Quota (IFQ) programs for the grouper and potentially other commercial reef fish fishing operations in the Gulf. Finally, the LEAP will review the status of various FMP amendments and other regulatory actions and report on the various activities of participating organizations.

The LEAP consists of principal law enforcement officers in each of the Gulf states, as well as the NMFS, U.S. Fish and Wildlife Service, the U.S. Coast Guard, and the National Oceanic and Atmospheric Administration's General Counsel for law enforcement.

The panel will meet Monday, March 13, 2006 from 1:00 p.m. to 5:00 p.m. The meeting will be held at the Holiday Inn Downtown/Market Square, 318 W. Durango Boulevard, San Antonio, Texas. A copy of the agenda and related materials can be obtained by calling the Council office at 813-348-1630.

In the Gulf States:

Alabama Derelict Crab Trap Removal Program

Saturday, March 11, 2006 8:00AM to 12:00 Noon

Mobile, AL., Back by popular demand, a [Derelict Crab Trap Recovery Program](#) will be held on Saturday, March 11, 2006 at several locations around Mobile and Baldwin Counties. The Mobile Bay National Estuary Program and Alabama Marine Resources Division are co-hosting the event to collect derelict traps within 500 yards of shore. Ghost traps can become lost due to storms, broken lines and neglect. These traps can continue to fish causing crabs and fish to be trapped and die needlessly. The traps are unsightly, can damage boats, and may cause personal injury. Close to 1500 traps have been recovered from previous efforts.

Volunteers with boats are sought to retrieve the traps. Dumpsters will be placed at Fowl River, Dog River, the Causeway, Meaher State Park, Fairhope Yacht Club, Wolf Bay Lodge, and Pelican Point on Weeks Bay. For more information log onto www.mobilebaynep.com or contact Leslie Hartman 251-861-2882 or Lee Yokel 251-431-6409.

Florida DEP Hosts Workshop on Protecting Florida's Coastline

--Meeting will explore new beach management and erosion control technologies--

TALLAHASSEE – The Department of Environmental Protection's (DEP) Bureau of Beaches and Coastal Systems hosted a workshop this week to discuss innovative shore protection technologies. Product designers, vendors, city and county representatives and state representatives participated in the two day conference to explore erosion control technologies and state permitting for projects.

“Restoring and maintaining critically eroding shorelines provides essential protection for our coastal communities and offers additional habitat for wildlife,” said Michael R. Barnett, P.E., Chief of DEP’s Bureau of Beaches & Coastal Systems. “Innovative techniques for protecting the beach and dune system allow us to explore additional opportunities that could save taxpayer dollars while effectively controlling erosion.”

During the workshop, entrepreneurs and vendors gave presentations showcasing their ideas and products, and DEP staff provided information on rules and procedures for permitting and funding pilot projects in the state. More than fifteen organizations introduced different erosion control techniques, including a description of the product or idea, prior uses, drawings and results of monitoring studies.

Florida’s beach and dune system acts as the first line of defense during hurricane season. Wide sandy beaches reduce the impacts of storm surge and wave action. Beach restoration and nourishment can prepare the coastline to better withstand the forces of hurricanes while providing recreational and economic benefits. Florida’s 825 miles of world-renowned beaches draw more than 80 million tourists to the state every year, pumping more than \$57 billion dollars into Florida’s economy. A 2003 Florida Atlantic University study found that for every dollar invested in beach restoration, the State receives a \$6 - \$8 economic return.

State, federal and local governments invest millions of dollars annually to restore and maintain critically eroded beaches along Florida’s coastline. Since 1999, Florida has invested more than \$300 million to replace sand and rebuild dunes, including \$93.4 million in 2004-05 and \$73.2 million in 2005-06 to repair damage from the eight hurricanes that impacted our state during the last two years. To date, more than 170 miles of beach have been restored and maintained through the State program. For more information, visit www.dep.state.fl.us/beaches.

International Visitors Learn about Louisiana’s Coastal Efforts

Coastal scientist Chuck Villarubia knows no stranger it seems, he has been tasked on many occasions to work with visiting journalists, national science magazine writers, other biologists and researchers as they seek knowledge of the state’s coastal restoration projects, particularly, the two freshwater diversion projects known as Caernarvon and Davis Pond.

This week, Villarubia greeted seven Korean visitors from the Korea Environment Institute and the Ministry of Environment which is under the leadership of the Prime Minister of the Republic of Korea. Villarubia assembled a team of DNR staff and others to spend a complete day of sharing information and trekking out in the field.

Of particular interests to these engineers and policy managers were water-related environmental matters, ecological monitoring and data collection, as well as getting a look at the benefits of restoration projects on the ground. The Koreans felt this in-person exchange with colleagues in the United States, in California, Florida, and Louisiana would help them in preparing documents related to their nation’s ten-year monitoring and coastal restoration plan.

Acting Asst. Secretary Gerry Duszynski, Brad Miller, Greg DuCote, Rick Raynie, Tom Bernard, and Rudy Simoneaux of the Office of Coastal Restoration and Management teamed with LSU scientist Dr. Robert Twilley and state DEQ scientists in water quality, Dugan Sabins and Emelise Cormier in instructing and presenting to the distinguished group.

Architects Rethink Plan to Move a Louisiana Town

By PATRICK COURREGES Acadiana bureau Published: Feb 18, 2006

NEW IBERIA — Architect and city planner Andres Duany and his crew have made waves and garnered attention in their week of laying out possible routes for Vermilion Parish's post-Hurricane Rita path to the future, including talk of essentially moving the entire town of Erath to the north. But Duany says he's brought nothing radical to the table. After spending a week in the area speaking with officials, landowners, local contractors and citizens, Duany and a group of about 20 engineers, architects and city planners will present their final proposals for Abbeville, Delcambre and Erath on Sunday. It will be held at 2 p.m. at the Rip Van Winkle Gardens conference center off La. 675.

The "New Erath" plan, one of the big attention-getters of the week's work, Duany said, has changed from raising the possibility of trying to get the whole town to move to new land on higher ground to the north, to creating a set of neighborhoods on the northeast side of the town to extend part of Erath to higher ground. Further study on the original idea showed that too many landowners were involved in trying to make the original concept work and the ground was crawling with underground pipes, he said.

The proposal still calls for several blocks of development surrounded by canals and raised with dirt dredged from the canals, but it covers a much-smaller area. The current set of proposals call for something similar to extend north of La. 14 on Abbeville's east side. That kind of thing, Duany said, is part of the process, bringing ideas out and getting feedback and doing research to see if they will work, making changes as new information comes in. He said the process, sponsored by the Louisiana Recovery Authority and paid for through private funds, has worked well, with his team applying their skills and having no trouble getting people with stakes in Abbeville, Delcambre and Erath to share their views.

Duany said he found the people of Vermilion "fun," but that "it's very hard to work." He said that when he's done similar projects in other areas, local people and officials often attend scheduled public meetings, but Vermilion people not only attend the public meetings, but have felt perfectly comfortable dropping in to where his team's working and hanging out to talk all day. "We had to put a sign up, please do not disturb," Duany said. "That was different." Duany said he appreciated the spirit of the area, but his team had to get some quiet time to work.

He said his group dealt with a wide range of issues, from smaller-scale concerns such as the often poor job being done on strapping or anchoring homes that are being elevated, to larger issues, such as his belief that the parish needs to fight to get a levee built along Freshwater Bayou and the Intracoastal Waterway between the parish and Vermilion Bay. In between are ideas such as the proposed plans for new canal-surrounded subdivisions around Abbeville and Erath and a jazzed-up harbor and festival complex at Delcambre. Duany said that while the planned layouts of new neighborhoods have been greeted as surprises, they are nothing new.

Developers are laying out similar neighborhoods every day in other parts of the country and even in Louisiana, he said. The difference, Duany said, is that it's normally done by private developers, whereas the Vermilion proposals would likely be either developed by governments, or the government would be the entity paying to have them developed. He said securing the money to bring the proposals to reality is more problematic with government handling it. In the private sector, getting the upfront investment in such ventures is no problem, because investors expect to see a return, Duany said. With government handling the development, the return is expected to go to the citizens, he said.

Duany said the overall presentation will not constitute a fully meshed comprehensive plan, but a selection of options for local leaders to act on or not, in whole or in part, as they choose. "It looks like a

hodgepodge, because that's what people are talking about," Duany said, with concerns ranging from levees to strapping down mobile homes, and from developing a presence in the biofuel market to how to build porches.

Other News

Supreme Court to Decide Far-Reaching Wetland Cases

February 20, 2006 — By John Flesher, Associated Press

CHESTERFIELD TOWNSHIP, Mich. — Keith Carabell parked his car beside a snow-covered woodlot hemmed in by townhouses, gas stations, a McDonald's, Kmart and other emblems of creeping suburbia on the northern fringe of metropolitan Detroit. "This is what they call a wetland," the 78-year-old accountant said, gesturing disgustedly at the 19-acre parcel he and his partners own. "An island sitting out here in the middle of this residential and commercial development."

On Tuesday, the U.S. Supreme Court will hear arguments in Carabell's two-decade fight to build condominiums on the property. Regulators say it's among the last forested wetlands in Macomb County and should remain intact for wildlife habitat and erosion control. The court also will consider the case of John Rapanos, a Michigan landowner whose feud with regulators led to a criminal conviction after he illegally filled wetlands with dirt. Dozens of interest groups have filed briefs in the cases, the resolution of which could affect millions of acres of swamps, marshes and bogs across the U.S. It also could signal whether the Supreme Court will veer rightward on environmental issues with the arrivals of Justices John Roberts and Samuel Alito.

Wetlands help filter contamination, control floodwaters and shelter spawning fish and waterfowl, but much of the nation's supply has been lost over the years. Four previous administrators of the Environmental Protection Agency, 34 states, environmentalists and outdoor recreation groups are among those supporting the government, which contends the Clean Water Act protects the Carabell and Rapanos wetlands. Property-rights advocates, the American Farm Bureau Federation, the U.S. Chamber of Commerce and a coalition of Western water agencies support the landowners, who claim their properties are too far removed from any navigable water body to fall under the 1972 law.

The Clean Water Act requires landowners to get a permit from the U.S. Army Corps of Engineers before putting fill material into waterways. Regulations and court decisions generally have interpreted the law as giving the Corps wide discretion to prevent wetland degradation. But in a 2001 case, the Supreme Court excluded "isolated" wetlands that don't cross state lines and have no hydrological connection to navigable waters. In that case, the court ruled in favor of Chicago-area suburbs that wanted to build a landfill atop abandoned gravel pits that had filled with water and were being used by migratory birds.

The Michigan cases involve wetlands adjacent not to navigable waterways themselves, but to their tributaries. The Carabell woodlot is a mile away from Lake St. Clair; the Rapanos property is about 20 miles from a river that empties into Lake Huron. The Army Corps says the wetlands are linked to the larger water bodies by ditches and streams, and that degrading them would allow pollution to reach the navigable waters. Protecting large waters but not their tributaries is "like saying that you cannot cut down a tree, but are free to poison its roots," said Jim Murphy, an attorney with the National Wildlife Federation. He said a victory of Carabell and Rapanos "would be an enormous setback for the health of all waters and for future generations that will depend on them."

If stripped of their legal shield, more than half of the 100 million acres of wetlands in the lower 48 states that haven't already been drained or filled could be lost, said Scott Yaich, conservation director for Ducks Unlimited. But Reed Hopper, who will argue Rapanos' case before the court, said most states and many local governments safeguard wetlands and can strengthen their laws if federal authority is curtailed. The Pacific Legal Foundation attorney contends the real issue isn't clean water, but federal overreaching. Hopper contends that zealous bureaucrats have violated property rights by going to ridiculous extremes, at times asserting control over mostly dry land miles from any commercial or recreational waterway.

Carabell called it "sort of like Cuba or Russia or some other despotic government deciding what's going to happen with private property." Carabell and several partners received a permit from the Michigan Department of Environmental Quality for their condominium project. But the Army Corps balked, saying the wetlands were too ecologically valuable to destroy. Rapanos, 70, a real estate developer from Midland, became a poster child for property-rights advocates when the federal government prosecuted him in 1995 for illegally filling wetlands. He had cleared vegetation and spread dirt on a 175-acre parcel to build a shopping center, ignoring cease-and-desist orders. Rapanos was convicted in 1995, fined \$185,000 and put on probation. The government is appealing the judge's refusal to order prison time. The government also won a civil suit against Rapanos -- the case before the Supreme Court.

If tributary wetlands are so important they can't be developed, the government should buy them, Carabell said. "If they want to take my land and make it a frog pond or whatever they want, fine -- just pay me for it," he said. "Otherwise you're taking private property without compensation, which is unconstitutional."

Energy

FERC Extends Lifting of Natural Gas Rules to Further Hurricane Recovery Efforts

The Federal Energy Regulatory Commission today extended the deadline by four months--to February 28, 2007--for the completion of construction of certain infrastructure projects pursuant to the Commission's waiver of regulations raising blanket certificate limits. The Commission's waiver is intended to help mitigate natural gas supply disruptions caused by Hurricanes Katrina and Rita. The Commission said lifting certain restrictions for an extended period is intended to afford additional time for facilities that cannot be placed in service by the beginning of the 2006-2007 heating season to be completed in time to deliver more gas services during the heating season when the facilities are most needed. "Recovery of infrastructure in the Gulf of Mexico is proceeding apace. This action should further encourage those efforts," said Chairman Joseph T. Kelliher.

In a November 18, 2005 order, the Commission waived certain requirements and increased the cost caps for projects that may be constructed under automatic authorization provisions of Part 157, Subpart F blanket certificate regulations from \$8 million to \$16 million, and under the prior notice provisions from \$22 million to \$50 million. In the same order, the Commission also temporarily expanded the definition of "eligible facilities" that may be constructed to include infrastructure that the regulations currently exclude: mainline facilities, extensions of a mainline; and temporary compression that raises the capacity of a main line. The cost limit waivers apply to the newly eligible facilities as long as the facilities will provide increased or alternative access to gas supply. The current blanket certificate regulations limit construction to facilities necessary to provide service within existing certificated levels.

The Commission cited information from the U.S. Minerals Management Service (MMS) that indicates that 400 million cubic feet of natural gas production is expected to remain offline by the start of the 2006-2007 hurricane season. The Commission said its original deadline of October 31, 2006, coincided with the beginning of the 2006-2007 heating season. On further reflection and in light of the MMS information, the Commission noted the extension to February 28, 2007, will help ease construction of additional infrastructure that would provide more access to gas services before the heating season ends.

Training and Conferences

Call For Papers: Nutrient Loading and Removal in the Lower Mississippi River Basin: Data, Trends, and Opportunities

JUNE 1-2, 2006 Location TBA

This symposium is part of the reassessment of the Action Plan for Reducing, Controlling, and Mitigating Hypoxia in the Northern Gulf of Mexico being undertaken by the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force (<http://www.epa.gov/msbasin/taskforce/actionplan.htm>). Short-term action item #11 from the Action Plan (p.14) states that "By December 2005, and every five years thereafter, the Task Force will assess the nutrient load reductions achieved and the response of the hypoxic zone, water quality throughout the Basin, and economic and social effects. Based on this assessment, the Task Force will determine appropriate actions to continue to implement this strategy, or, if necessary, revise the strategy." This symposium will focus on activities and trends in the lower Mississippi River and its major tributaries and watersheds, including both point and non-point sources of nutrient loading, as well as human and natural processes of nutrient removal and uptake. Papers are sought to address key questions facing the continuing effort to reduce the spread of Gulf hypoxia:

- What is the current status of the major sources and sinks of nutrients in the lower river basin?
- What is the most up to date information on nutrient management and monitoring efforts in the lower river basin?
- What are recent developments on modeling, monitoring, and research on nutrient loading and removal in the lower river basin?
- How will the following trends affect nutrient loading and uptake in the lower river basin?
Agricultural Practices, Climate Change, Energy and Fertilizer Prices, Landscape Changes, Land-Use Patterns, River Management - Structural and Non-Structural, Wetlands Loss and Restoration - Coastal and Riverine

Deadline for Abstracts: March 30, 2006. Sponsored by the Lower Mississippi River Sub-basin Committee on Hypoxia, U.S. Environmental Protection Agency, USDA Agricultural Research Service, and U.S. Army Corps of Engineers ERDC Laboratory. For more information, contact Doug Daigle (dougdaigle@mrba.org) or go to www.epa.gov/gmpo/lmrsbc/index.html.

Did you find this edition useful? Please send suggestions, comments, and new items for publication to Laurie.Rounds@noaa.gov